

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

MISTY METCALF,

Plaintiff,

vs.

ONEOK, INC.,

Defendant.

CV 18-11-BLG-SPW-TJC

ORDER

Plaintiff Misty Metcalf filed an Amended Complaint on May 11, 2018. (Doc. 18.) Plaintiff's Amended Complaint was filed outside the time limits provided in Fed. R. Civ. P. 15(a)(1) for amendments as a matter of course, so Plaintiff was required to seek the opposing party's written consent or the Court's leave in order to file her Amended Complaint. Fed. R. Civ. P. 15(a)(2). Though the Court's Scheduling Order imposed an amended pleadings deadline of May 11, 2018, that deadline contemplates "Motions to Amend Pleadings" and not amended pleadings without leave of Court. Accordingly,

IT IS ORDERED that Plaintiff's Amended Complaint (Doc. 18) is hereby STRICKEN from the record.

IT IS FURTHER ORDERED that Plaintiff may file a motion seeking leave to file an amended complaint, provided that motion complies in full with D. Mont. L.R. 7.1, including but not limited to indicating whether any party opposes the

motion. Because the Court's Scheduling Order was not entirely clear on the appropriate procedure, Plaintiff's motion shall be deemed to have been filed within the May 11, 2018, amended pleadings deadline if Plaintiff files it within 14 days of the date of this Order.

DATED this 14th day of May, 2018.



TIMOTHY J. CAVAN
United States Magistrate Judge